



The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Office of Medicaid
Office of Long Term Services and Supports
One Ashburton Place, 5th Floor
Boston, Massachusetts 02108



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MassHealth

www.mass.gov/eohhs

Notice of MassHealth Public Stakeholder Listening Sessions

Subject

Overtime and Intra-Day Travel Time for Personal Care Attendants (PCAs) under the MassHealth PCA Program.

Purpose

The Massachusetts Executive Office of Health and Human Services (EOHHS) will host a series of public statewide listening sessions on recent changes to federal regulations implementing the Fair Labor Standards Act (FLSA) and the MassHealth PCA Program's implementation of these requirements. The purpose of these listening sessions will be to gather information from PCA consumers, PCAs, interested stakeholders and the general public on how to improve the PCA program in a way that ensures consumers receive all of their authorized PCA services while minimizing the need for PCAs to work overtime. These listening sessions will be an opportunity for MassHealth to obtain input on ways to enhance the health care experience of PCA consumers and to gather ideas on how to make the MassHealth PCA program more sustainable. We welcome all members of the public who wish to share their ideas with MassHealth and help us work through design challenges related to the recent changes under the FLSA.

Background

The U.S. Department of Labor (DOL) has issued a Final Rule revising DOL regulations that implement the FLSA. The result of this new rule is that PCAs may receive overtime pay for hours worked in excess of 40 hours per week for one or more consumers cumulatively and pay for intra-day travel time when traveling between one consumer employer's home and another consumer employer's home on the same day to provide PCA services.

What MassHealth is Doing

Beginning on January 1, 2016, PCAs will automatically receive overtime pay for hours worked in excess of 40 hours per week for one or more consumers combined and pay for intra-day travel time in which a PCA travels between one consumer employer's home and another consumer employer's home on the same day to provide PCA services. To facilitate this, MassHealth's contracted fiscal intermediaries will track the cumulative hours worked by PCAs each week, even if they work for more than one consumer, and will automatically calculate any intra-day travel time.

Prior to January 1, 2016, if a consumer needs to schedule a PCA to work more than 40 hours per week, the consumer must contact his/her designated personal care management agency to make a request for



prior authorization for premium pay for overtime, as described under MassHealth PCA regulations at 130 CMR 422.420(A)(13).

Listening Sessions

Information on the three public listening sessions is below. **Please note that these sessions are open to all members of the public.**

Date	Location	Time	Call- In
Monday, November 30, 2015	McCormick Conference Room 21st Floor, One Ashburton Place Boston, MA 02108	1:00-3:00 PM	1- 877-680-2612 Participant code: 5463977
Friday, January 22, 2016	Saxe Meeting Room Worcester Public Library 3 Salem Square Worcester, MA 01608	1:00-3:00 PM	877-929-7125 Participant code: 3608246
Wednesday, January 27, 2016	Community Room Mason Square Branch Springfield Public Library 765 State Street Springfield, MA 01109	1:00-3:00 PM	866-565-6580 Participant code: 9593452

Disability-Related Accommodations

Communication Access Real-time Translation (CART) services and ASL Interpretation will be available. If disability-related accommodations are required for you to attend, or you need materials in other formats, please contact: Erin.Dore@state.ma.us.

Comments

Can be sent to: Erin.Dore@state.ma.us.